

## House File 402 - Introduced

HOUSE FILE 402

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WILLS, KAUFMANN, PAUSTIAN,  
RIZER, LANDON, and BAXTER

### A BILL FOR

1 An Act concerning fourteen-day and five-day licenses and  
2 permits issued by the administrator of the alcoholic  
3 beverages division of the department of commerce.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 123.34, subsections 2, 3, 4, and 5, Code  
2 2015, are amended to read as follows:

3 2. The administrator may issue fourteen-day class "A",  
4 class "B", class "C", special class "C", and class "D" liquor  
5 control licenses and fourteen-day class "B" beer and class "C"  
6 native wine permits. A fourteen-day license or permit, if  
7 granted, is valid for fourteen consecutive days, but the holder  
8 shall not sell on the two Sundays in the fourteen-day period  
9 unless the holder qualifies for and obtains the privilege to  
10 sell on Sundays contained in section 123.36, subsection 5, and  
11 section 123.134, subsection 5.

12 3. The fee for a fourteen-day liquor control license or  
13 beer permit is one quarter of the annual fee for that class  
14 of liquor control license or beer permit. The fee for the  
15 privilege to sell on the two Sundays in the fourteen-day period  
16 is twenty percent of the price of the fourteen-day liquor  
17 control license or beer permit. The fee for a fourteen-day  
18 class "C" native wine permit shall be the permit fee as  
19 provided by section 123.179, subsection 4.

20 4. The administrator may issue five-day class "A", class  
21 "B", class "C", special class "C", and class "D" liquor control  
22 licenses and five-day class "B" beer and class "C" native  
23 wine permits. A five-day license or permit is valid for five  
24 consecutive days, but the holder shall not sell alcoholic  
25 beverages on Sunday in the five-day period unless the holder  
26 qualifies for and obtains the privilege to sell on Sunday  
27 pursuant to sections 123.36 and 123.134.

28 5. The fee for the five-day liquor control license or  
29 beer permit is one-eighth of the annual fee for that class of  
30 license or permit. The fee for the privilege to sell on a  
31 Sunday in the five-day period is ten percent of the price of  
32 the five-day liquor control license or beer permit. The fee  
33 for a five-day class "C" native wine permit shall be the permit  
34 fee as provided by section 123.179, subsection 4.

35 Sec. 2. Section 123.34, Code 2015, is amended by adding the

1 following new subsection:

2     NEW SUBSECTION.   6.   A holder of a fourteen-day or five-day  
3 license or permit may allow, notwithstanding any provision  
4 of section 123.45 to the contrary, a person who manufactures  
5 alcoholic liquor, wine, or beer, to handle, serve, dispense,  
6 and sell at retail on behalf of the licensee or permittee the  
7 alcoholic liquor, wine, or beer the person manufactures, if  
8 the person who manufactures the alcoholic liquor, wine, or  
9 beer does not have an ownership interest in the holder of the  
10 license or permit and the holder of the license or permit is  
11 authorized to sell the alcoholic liquor, wine, or beer. For  
12 purposes of this subsection, "*person who manufactures*" includes  
13 any jobber, representative, broker, employee, or agent of the  
14 person.

### EXPLANATION

16 The inclusion of this explanation does not constitute agreement with  
17 the explanation's substance by the members of the general assembly.

18       This bill concerns 14-day and 5-day licenses and permits  
19 issued by the administrator of the alcoholic beverages division  
20 of the department of commerce.

21 The bill amends Code section 123.34 to provide that the  
22 administrator may issue 14-day and 5-day special class "C"  
23 liquor control licenses and class "C" native wine permits.  
24 The bill provides that the permit fee for a 14-day or 5-day  
25 class "C" native wine permit shall be \$25 as specified in Code  
26 section 123.179, subsection 4.

27 The bill also authorizes a holder of a 14-day or 5-day  
28 license or permit to allow a manufacturer, including any  
29 jobber, representative, broker, employee, or agent of the  
30 manufacturer, to handle, serve, dispense, and sell at retail on  
31 behalf of the licensee or permittee the alcoholic liquor, wine,  
32 or beer it manufactures, if the manufacturer does not have an  
33 ownership interest in the holder of the license or permit and  
34 the holder of the license or permit is authorized to sell the  
35 alcoholic liquor, wine, or beer.